

FIRST SUPPLEMENTAL INTERLOCAL CONTRACT
FOR LOCAL DRAINAGE IMPROVEMENTS
IN BRUSH STREET STORM DRAIN

THIS FIRST SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 13th day of July, 2006 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

W I T N E S S E T H

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes the DISTRICT may approve a project to design and construct flood control improvements; and

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, an Interlocal Contract for the construction of the Local Drainage Improvements for the Brush Street Storm Drain was entered into between the DISTRICT and the CITY on June 10, 2004; and

WHEREAS, the CITY wishes to extend the completion date.

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following

SECTION III – GENERAL paragraphs 2, 11, and 13 shall be revised to read as follows:

2. The CITY will use its best efforts to award the bid for this PROJECT by January 12, 2007. The CITY will take all reasonable steps possible to avoid delays in the construction of District funded projects. Project delays more than four months, as measured from the award date, may be subject to a formal review by both the Technical Advisory Committee and the District Board of Directors. At the review, the CITY will have an opportunity to present information relative to the delays, measures taken to avoid the delays and the likelihood of those delays continuing. The Board will make a determination, in view of the delays and limited available funding, whether project funding should continue. In the case that the Board chooses to discontinue funding, the Board may cancel any Interlocal Contract(s) associated with the project and discontinue funding for the remainder of the project. Funding already spent or appropriated by the CITY will not be required to be refunded to the District. Project funding can be reconsidered at any time when the CITY can demonstrate that the project can proceed on an acceptable schedule.
11. Up to the limits set forth in NRS Chapter 41, the CITY will indemnify and defend the DISTRICT against and from any and all claims and demands of whatsoever nature which arises out of allegations of negligence or misconduct of CITY officers, employees or agents, related to or under this Contract which results from injury to or death of any persons whomsoever, or against and from damage to or loss or destruction of property.

13. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to September 14, 2008. The DISTRICT may, at any time thereafter, grant extensions or terminate this Contract after thirty (30) days notice.

All other sections of the interlocal contract dated June 10, 2004 shall remain unchanged.

Date of District Action:

REGIONAL FLOOD CONTROL DISTRICT

July 13, 2006
ATTEST:

BY: Lawrence L. Brown III
LAWRENCE L. BROWN, III, Chairman

Carolyn Frazier
CAROLYN FRAZIER
Secretary to the Board

Approved as to Form:

BY: Christopher Figgins
CHRISTOPHER FIGGINS
Chief Deputy District Attorney

Date of Council Action:

CITY OF LAS VEGAS

ATTEST:

BY: _____
OSCAR B. GOODMAN, Mayor

BARBARA JO RONEMUS
City Clerk

APPROVED AS TO FORM
Thomas R. Green 7/24/06
Thomas R. Green Date
Deputy City Attorney

Clark County Regional Flood Control District Cash Flow Projection

Today's Date: 6/29/2006

Project Number: LLD12A04

Project Name: Brush Street Storm Drain

Project Type: Storm Drain

ILC Amount: \$ 187,500

Milestone	Construction Schedule		
	Estimate	Revised	Actual
Award of Bid	6/30/2005	9/30/2006	
N-T-P	7/6/2004	10/6/2006	
CONS Start	7/12/2004	10/16/2006	
CONS Complete	10/30/2005	1/30/2007	
Project Duration	4 months	4 months	

Billing Month	Original Estimate		Actual Drawdowns		Variance		Revised Estimate	
	\$	%	\$	%	\$	%	\$	%
Jul-05	46,875	25%						
Aug-05	46,875	25%						
Sep-05	46,875	25%						
Oct-05	46,875	25%						
Nov-06								
Dec-06								
Jan-06								
Feb-06								
Mar-06								
Apr-06								
May-06								
Jun-06								
Jul-06								
Aug-06								
Sep-06								
Oct-06							46,875	25%
Nov-06							46,875	25%
Dec-06							46,875	25%
Jan-07							46,875	25%
Total	\$ 187,500	100%					\$ 187,500	100%

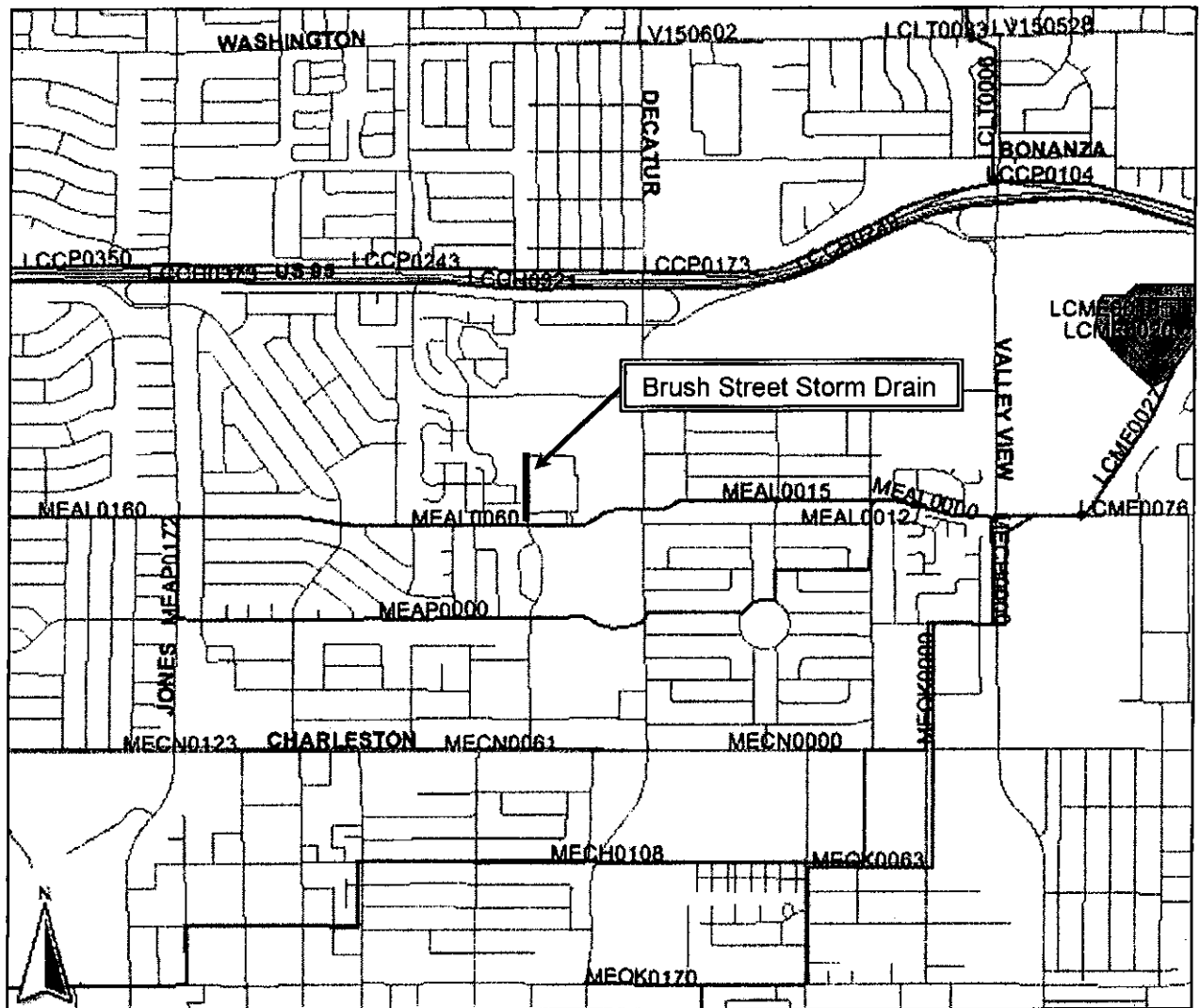


EXHIBIT A
BRUSH STREET STORM DRAIN
LLD12A04